

PATENT
ATTORNEY DOCKET NO. 07354 004001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward F. Myers *et al.* Art Unit: Unassigned
Serial No.: 08/809,677 Examiner: Unassigned
Filed: March 27, 1997
Title: ARTIFICIAL LIVER APPARATUS AND METHOD

Assistant Commissioner for Patents
Washington, DC 20231

POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF
ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTORS

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints:

Adenike Adewuya, Reg. No. 42,254; Richard J. Anderson, Reg. No. 36,732; James W. Babineau, Reg. No. 42,276; Ingrid A. Beattie, Reg. No. P-42-306; William E. Booth, Reg. No. 28,933; Samuel Borodach, Reg. No. 38,388; Roger S. Borovoy, Reg. No. 20,193; Margaret A. Boulware, Reg. No. 28,708; Kent H. Cheng, Reg. No. 33,849; Ruffin B. Cordell, Reg. No. 33,497; Monique L. Cordray, Reg. No. 34,802; John D. Cowart, Reg. No. 38,415; Gary L. Creason, Reg. No. 34,310; Sean P. Daley, Reg. No. 40,978; Andrew T. D'Amico, Jr., Reg. No. 33,375; Peter S. Dardi, Reg. No. 39,650; Albert B. Deaver, Jr., Reg. No. 34,318; Peter J. Devlin, Reg. No. 31,753; William J. Egan, III, Reg. No. 28,411; Mark S. Ellinger, Reg. No. 34,812; Eldora L. Ellison, Reg. No. 39,967; Willis M. Ertman, Reg. No. 18,658; J. Peter Fasse, Reg. No. 32,983; David L. Feigenbaum, Reg. No. 30,378; Richard P. Ferrara, Reg. No. 30,632; Stephan J. Filipek, Reg. No. 33,384; Harold H. Fox, Reg. No. 41,498; Janis K. Fraser, Reg. No. 34,819; John W. Freeman, Reg. No. 29,066; Timothy A. French, Reg. No. 30,175; John J. Gagel, Reg. No. 33,499; Edouard A. Garcia, Reg. No. 38,461; Kurt L. Glitzensten, Reg. No. 39,686; Alan H. Gordon, Reg. No. 26,168; David J. Goren, Reg. No. 34,609; Grant D. Green, Reg. No. 31,259; Lisa A. Haile, Reg. No. 38,347; John A. Harre, Reg. No. 37,345; Scott C. Harris, Reg. No. 32,030; John F. Hayden, Reg. No. 37,640; Mark J. Hebert, Reg. No. 31,766; George E. Heibel, Reg. No. 42,648; Gilbert H. Hennessey, Reg. No. 25,759; Charles Hieken, Reg. No. 18,411; Robert E. Hillman, Reg. No. 22,837; William J. Hone, Reg. No. 26,739; Dan C. Hu, Reg. No. 40,025; Shane F. Hunter, Reg. No. 41,858; Allison A. Johnson, Reg. No. 36,173; Stanley A. Kim, Reg. No. 42,730; Mark D. Kirkland, Reg. No. 40,048; Linda Liu Kordziel, Reg.

This document is a copy of the original and is not a hand delivered copy. It is dated and addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

No. 39,732; Gabriel P. Kralik, Reg. No. 34,855; Phyllis K. Kristal, Reg. No. 38,524; John Land, Reg. No. 29,554; June M. Learn, Reg. No. 31,238; G. Roger Lee, Reg. No. 28,963; Ronald C. Lundquist, Reg. No. 37,875; Gregory A. Madera, Reg. No. 28,878; James V. Mahon, Reg. No. 41,966; Denis G. Maloney, Reg. No. 29,670; Christopher S. Marchese, Reg. No. 37,177; Anita L. Meiklejohn, Reg. No. 35,283; Coe F. Miles, Reg. No. 38,599; Ralph A. Mittelberger, Reg. No. 33,195; James E. Mrose, Reg. No. 33,264; Robert C. Nabinger, Reg. No., 33,431; Daniel G. Nguyen, Reg. No. 42,933; Frank R. Occhiuti, Reg. No. 35,306; Jonathan P. Osha, Reg. No. 33,986; Andrew N. Parfomak, Reg. No. 32,431; John B. Pegram, Reg. No. 25,198; John C. Phillips, Reg. No. 35,322; Frank P. Porcelli, Reg. No. 27,374; Eric L. Prah, Reg. No. 32,590; Fred G. Pruner, Jr., Reg. No. 40,799; Frederick H. Rabin, Reg. No. 24,488; Jason A. Reyes, Reg. No. 41,513; Alan D. Rosenthal, Reg. No. 27,833; Mathias W. Samuel, Reg. No. 39,823; Stephen R. Schaefer, Reg. No. 37,927; Caspar C. Schneider, Jr., Reg. No. 16,676; Richard M. Sharkansky, Reg. No. 25,800; David M. Shaw, Reg. No. 38,688; Steven J. Shumaker, Reg. No. 36,275; John M. Skenyon, Reg. No. 27,468; Jack L. Siobodin, Reg. No. 29,110; Alan D. Smith, Reg. No. 32,005; Jeffrey L. Snow, Reg. No. 39,037; Wayne P. Sobon, Reg. No. 32,438; Howard L. Speight, Reg. No. 37,733; Michael O. Sutton, Reg. No. 26,675; Reginald J. Suyat, Reg. No. 28,172; Stacy L. Taylor, Reg. No. 34,842; Rene D. Tegtmeyer, Reg. No. 33,567; Bao Q. Tran, Reg. No. 37,955; Hans R. Troesch, Reg. No. 36,950; Timothy N. Trop, Reg. No. 28,994; Y. Rocky Tsao, Reg. No. 34,053; Jonathan J. Wainer, Reg. No. 36,712; Gary A. Walpert, Reg. No. 26,098; John R. Wetherell, Jr., Reg. No. 31,678; Dorothy P. Whelan, Reg. No., 33,814; Mark D. Wiczorek, Reg. No. 37,966; Wayne E. Willenberg, Reg. No. 28,488; John N. Williams, Reg. No. 18,948; Charles C. Winchester, Reg. No. 21,040; and Thomas G. Woolston, Reg. No. 40,235;

all of the firm of Fish & Richardson P.C., as its attorneys to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71 *et seq.* of the Patent Office Rules of Practice.

Ownership is in the assignee by virtue of the assignment documents recorded on April 21, 1993 at Reel No. 6504, Frame No. 0649 in application, U.S. Serial No. 06/943,777 of which the parent application PCT Serial No. PCT/US94/10935 is a continuation-in-part. The documents

Please direct all communications regarding the application to the attorney at the address and telephone numbers indicated below.

Stacy L. Taylor
FISH & RICHARDSON P.C.
4225 Executive Square, Suite 1400
La Jolla, California 92037
Telephone: (619) 678-5070
Facsimile: (619) 678-5099

Respectfully submitted,

Date: March 6, 1998



W. Gerald Newmin

Title: Chief Executive Officer

Exten Industries, Inc.
(formerly Xenogenex, Inc.)
9625 Black Mountain Road, Suite 218
San Diego, CA 92126

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Edward F. Myers

2. Albert P. Li

3. Achilles Demetriou

hereby sells, assigns, and transfers to ASSIGNEE, Exten Industries, Inc., 9625 Black Mountain Road, Suite 218, San Diego, CA 92126-4564, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements in the invention entitled: ARTIFICIAL LIVER APPARATUS AND METHOD

and which is found in

- (a) U.S. patent application executed on , entitled as above and listing the above named persons as inventors
- (b) x U.S. patent application serial no. 08/809,677, filed on March 27, 1997
- (c) U.S. Patent No.: , issued

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or in any continuation, division, continuation-in-part, extension or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, Exten Industries, Inc.

executed this

Signature of Inventor(s)

22 day of May, 1998

Achilles Demetriou
Ach.Fes Demetriou

R

06-09-1998

Attorney Docket No.: 07354/004001
EET

Assistant Commissioner for Patents: Ph

100732220

ent.

1. Name of conveying party(ies):

Achilles DemetriouAdditional name(s) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other:

2. Name and address of receiving party(ies):

Exten Industries, Inc.
9625 Black Mountain Road, Suite 218
San Diego, CA 92125-4564

Additional names/addresses attached? ☐ Yes ☒ No

Execution Date: 5/22/98

4. Application number(s) or patent number(s):

If this document is being filed with a new application, the execution date of the application is:

A. Patent Application No.(s): **08/809,677**

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name/address of party to whom correspondence concerning document should be mailed:

Stacy L. Taylor
Fish & Richardson P.C.
4225 Executive Square, Suite 1400
La Jolla, CA 92037

6. Total number of applications/patents involved:
- 1**

7. Total fee (37 CFR 3.41):
- \$40**

- ☒ Enclosed
☐ Authorized to charge deposit account

8. Deposit account number:
- 06-1050**

If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

DO NOT USE THIS SPACE

9. Statement and signature:
- To the best of my knowledge and belief the foregoing information is true and correct and the attached is the original document.*

Stacy L. Taylor

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document 2

06/09/1998 98NITH 00000202 08809677

01 FC:581

40.00 DP

Date of Deposit: 6-8-98

I hereby certify that this correspondence is being hand delivered on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20540.

PATENT

REF ID: A611 0255

MRD 6-8-98

RECEIVED
 JUN 11 1998
 ASST. COM. FOR PAT.

6-8-98
 RECEIVED